

REMARKS

Reconsideration and allowance of the subject application are respectfully solicited.

Claims 1 through 9, 15 through 18, 43, 44, and 57 through 61 are pending, with Claims 1, 8, 15, 43, and 57 being independent. Claims 1 through 4, 8, 9, 15 through 18, 43, 44, and 57 through 59 have been amended. Claim 61 has been added.

Claims 1 through 9, 15 through 18, 43, 44, and 57 through 60 were rejected under 35 U.S.C. § 102 over U.S. Patent No. 5,589,911 (Nonaka). All rejections are respectfully traversed.

Claims 1, 8, 15, and 43 recite, inter alia, excluding a plurality of second measured distance-values in response to a determination that the plurality of second measured distance-values are not smaller than a predetermined distance value.

Claim 57 recites, inter alia, comparing a first measured distance-value of a plurality of individually measured distance-values to a predetermined distance value, wherein if the first measured distance-value is not smaller than the predetermined distance value, the selection circuit compares a second measured distance-value of the plurality of individually measured distance-values to the predetermined distance value and excludes the first measured distance-value from being selected.

However, Applicant respectfully submits that Nonaka fails to disclose or suggest at least the above-discussed claimed features as recited, inter alia, in Claims 1, 8, 15, 43, and 57. It is further respectfully submitted that there has been no showing of any indication of motivation

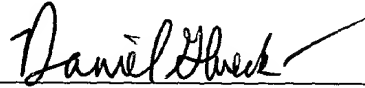
in the cited documents that would lead one having ordinary skill in the art to arrive at such claimed features.

The dependent claims are also submitted to be patentable because they set forth additional aspects of the present invention and are dependent from independent claims discussed above. For example, Claims 2 and 9 recite, inter alia, setting the auto-focusing data value to a value equal to a minimum permissible distance value in response to a determination that the computed auto-focusing data value is smaller than the minimum permissible distance value. Claims 3 and 17 recite, inter alia, computing the auto-focusing data value from a mean value of the at least one first measured distance-value selected by the selection circuit. Claim 6 recites, inter alia, obtaining the predetermined distance value from an aperture value of a lens used for auto-focusing. Applicant respectfully submits that Nonaka fails to disclose or suggest such features in combination with the above-discussed claimed features of the independent claims. Therefore, separate and individual consideration of each dependent claim is respectfully requested.

Applicant submits that this application is in condition for allowance, and a Notice of Allowance is respectfully requested.

Applicant's undersigned attorney may be reached in our Washington, D.C. office by telephone at (202) 530-1010. All correspondence should continue to be directed to our address listed below.

Respectfully submitted,

A handwritten signature in black ink, reading "Daniel S. Glueck", with a long horizontal stroke extending to the right.

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APPENDIX

VERSION SHOWING CHANGES MADE TO CLAIMS

1. (Amended) A distance-measuring device for measuring individual distances to a plurality of distance-measured regions, the distance-measuring device comprising:

a selection circuit for selecting at least one first measured distance-value by excluding a plurality of second measured distance-values in response to a determination that the plurality of second measured distance-values [that] are not smaller than a predetermined distance value, from individually measured distance-values to the plurality of distance-measured regions; and

a computation circuit for computing an auto-focusing data value in accordance with the at least one first measured distance-value selected by said [the] selection circuit.

2. (Amended) A distance-measuring device according to Claim 1, wherein said [the] computation circuit sets the auto-focusing data value to a value equal to a minimum permissible distance value [when] in response to a determination that the computed auto-focusing data value is smaller than the minimum permissible distance value.

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3. (Amended) A distance-measuring device according to Claim 1, wherein said [the] computation circuit computes the auto-focusing data value from a mean value of the at least one first measured distance-value selected by said [the] selection circuit.

4. (Amended) A distance-measuring device according to Claim 1, wherein said [the] computation circuit computes the auto-focusing data value from a majority of the at least one first measured distance-value selected by said [the] selection circuit.

8. (Amended) A camera including a distance-measuring device for measuring individual distances to a plurality of distance-measured regions, [the] said camera comprising:

a selection circuit for selecting at least one first measured distance-value by excluding a plurality of second measured distance-values in response to a determination that the plurality of second measured distance-values [that] are not smaller than a predetermined distance value, from individually measured distance-values to the plurality of distance-measured regions;

a computation circuit for computing an auto-focusing data value in accordance with the at least one first measured distance-value selected by said [the] selection circuit; and

a driving circuit for driving an image-forming lens in accordance with the auto-focusing data value computed by the computation circuit.

9. (Amended) A camera according to Claim 8, wherein said [the] computation circuit sets the auto-focusing data value to a value equal to a minimum permissible distance value [when] in response to a determination that the computed auto-focusing data value is smaller than the minimum permissible distance value.

15. (Amended) A method of measuring individual distances to a plurality of distance-measured regions by a distance-measuring device, said method comprising the steps of:
selecting at least one first measured distance-value by excluding a plurality of second measured distance-values in response to a determination that the plurality of second measured distance-values [that] are not smaller than a predetermined distance value, from individually measured distance-values to the plurality of distance-measured regions; and
computing an auto-focusing data value in accordance with the selected at least one first measured distance-value.

16. (Amended) A measuring method according to Claim 15, wherein said [the] computing step includes setting the auto-focusing data value to a value equal to a minimum permissible distance value [when] in response to a determination that the computed auto-focusing data value is smaller than the minimum permissible distance value.

17. (Amended) A measuring method according to Claim 15, wherein said [the] computing step includes computing the auto-focusing data value from a mean value of the selected at least one first measured distance-value [distance value].

18. (Amended) A measuring method according to Claim 15, wherein said [the] computing step includes computing the auto-focusing data value from a majority of the selected at least one first measured distance-value.

43. (Amended) [In a distance-measuring device for measuring individual distances to a plurality of distance-measured regions, a] A computer usable medium for use with a distance-measuring device for measuring individual distances to a plurality of distance-measured regions, said computer usable medium having computer readable program code units embodied therein comprising:

a first program code unit for selecting at least one first measured distance-value by excluding a plurality of second measured distance-values in response to a determination that the plurality of second measured distance-values [that] are not smaller than a predetermined distance value, from individually measured distance-values to the plurality of distance-measured regions, and

a second program code unit for computing an auto-focusing data value in accordance with the selected at least one first measured distance-value.

44. (Amended) [In a distance-measuring device for measuring individual distances to a plurality of distance-measured regions, a] A computer usable medium [having computer readable program code units embodied therein] according to Claim 43, wherein the second program code unit includes a program code unit for setting the auto-focusing data value to a value equal to a minimum permissible distance value [when] in response to a determination that the computed auto-focusing data value is smaller than the minimum permissible distance value.

57. (Amended) A distance-measuring device for measuring individual distances to a plurality of distance-measured regions, the distance-measuring device comprising:
a selection circuit for selecting at least one measured distance-value for use in focusing by comparing a first measured distance-value of a plurality of individually measured distance-values to a predetermined distance value, wherein if the [said] first measured distance-value is not smaller than the [said] predetermined distance value, said selection circuit compares a second measured [distance value] distance-value of the plurality of individually measured distance-values to the [said] predetermined distance value and excludes the [said] first measured distance-value from being selected; and

a computation circuit for computing an auto-focusing data value in accordance with the at least one measured distance-value selected by said [the] selection circuit.

58. (Amended) A distance-measuring device according to Claim 57, wherein if the [said] second measured distance-value is not smaller than the [said] predetermined distance value, said selection circuit excludes the second measured distance-value from being selected and selects a third measured distance-value of the plurality of individually measured distance-values.

59. (Amended) A distance-measuring device according to Claim 57, further comprising an ordering circuit for ordering into a predetermined order the [a] plurality of individually measured distance-values before said selection circuit performs the selection [and for providing a plurality of ordered-measured-distance-values,

wherein said selection circuit selects at least one ordered-measured-distance-value].